

Chapter 37

WEIGHTS AND MEASURES¹

Sec. 37-1. Table adopted.

The table of weights and measures provided by law as the legal and uniform standard of weights and measures in the state shall be the lawful table of weights and measures in the city. (Code 1986, § 37-1)

State law reference--Table, T.C.A., § 47-26-101.

Sec. 37-2. Office of sealer created; appointment term.

The office of sealer of weights and measures is hereby created. The mayor shall appoint a suitable person to discharge the duties of such office, who shall serve at the pleasure of the mayor. (Code 1986, § 37-2; Ord. No. 9654, § 13, 1-6-92)

State law reference--Authority to appoint local sealer of weights and measures, T.C.A., § 47-26-216.

Sec. 37-3. Sealer to enforce chapter; police powers.

The sealer of weights and measures shall enforce the provisions of this chapter. He shall exercise for such purpose all the power and authority of a police officer, and may arrest and prosecute any person who violates this chapter or the laws of the state covering offenses that are also covered by this chapter.

(Code 1986, § 37-3)

Sec. 37-4. Inspection of scales and measures; condemnation, correction.

The sealer of weights and measures shall inspect the scales and measures of all coal, ice and fuel dealers, and of all hucksters, peddlers and other retail dealers, and of all other persons using scales or measures who supply the public with coal, ice, fuel, groceries or provisions of any kind that may be denominated the necessities of life or which may be used for consumption or for the comfort of the public. Whenever, upon inspection, the sealer finds that any scales or measures are not in compliance with the laws of the state, he shall condemn such defective scales or measures, or, if practicable, mark and correct the same. It shall be unlawful for the owner to continue to use any scales or measures condemned by the sealer.

(Code 1986, § 37-4)

¹ **Cross references**--Advertising, Ch. 3; businesses, trades and occupations generally, Ch. 11.
State law reference--Weights and measures generally, T.C.A., §47-26-101 et seq.

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Sec. 37-5. Inspection of contents of vehicles.

The sealer of weights and measures may examine, weigh, mark and inspect the contents of any vehicle transporting or loaded with ice, fuel or other necessities of life that may be offered for sale or sold in the city, while in transit or otherwise, so as to determine that the purchaser or proposed purchaser or consumer, or persons desiring to purchase or consume, shall receive the correct weight and amount for which they may contract.

(Code 1986, § 37-5)

Sec. 37-6. Oath of compliance to be taken by retail dealers.

All coal, ice, fuel and other retail dealers using scales and measures, shall, when applying for privilege licenses, take an oath before the city auditor, which shall be kept on file in his office, that they will strictly comply with all the requirements of this chapter.

(Code 1986, § 37-6)

Sec. 37-7. Short or false weight or measure.

Any person who shall attempt to sell or deliver a less quantity or a lesser amount, either in weight or measure, of ice, fuel or other necessity of life than is stated on the bill therefor or required by section 37-1 of this Code, shall be deemed guilty of a violation of this chapter. Every attempt to deliver or delivery actually made of any product, whether ice, fuel or other necessity of life, that does not weigh or measure up to the standard herein provided or the contract therefor shall constitute a separate offense.

(Code 1986, § 37-7)

Sec. 37-8. Sale of ice.

All persons selling and delivering ice in the city shall provide and have upon their vehicles making delivery and in their respective places of business in which ice is sold, a pair of properly balanced scales, with which to weigh each piece of ice sold or delivered at the time of delivery of the same, and they shall make known to their customers, on demand, the exact weight of such ice at the time of sale or delivery.

(Code 1986, § 37-8)

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Sec. 37-9. Additional rules and regulations.

The sealer of weights and measures may adopt reasonable rules and regulations to facilitate the enforcement of this chapter. The violation of any such rule or regulation shall be unlawful.
(Code 1986, § 37-9)